

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-02-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.15376 OF 2014

- 1.P.Ethirajalu
- 2.R.Murugan
- 3.T.R.Mahesh
- 4.M.Halilur Rahiman
- 5.A.Vasantharaja
- 6.P.Gobalakrishnan
- 7.S.Balaji
- 8.S.Ragunathan
- 9.V.Manicam
- 10.S.Raja
- 11.P.Annamalai
- 12.K.Pazhanisamy
- 13.D.Karunakaran
- 14.P.Kaliyamoorthy
- 15.S.Ravi

... Petitioners

-vs-

1. The Commissioner of Labour,  
Office of the Labour Commissioner,  
Puducherry,  
Labour Department,  
2<sup>nd</sup> Floor, Gandhi Nagar,  
Vazhudavur Road,  
Puducherry-605 007.
2. The Labour Officer (Conciliation),  
Office of the Labour Officer,  
Puducherry,  
Labour Department,  
2<sup>nd</sup> Floor, Gandhi Nagar,  
Vazhudavur Road,  
Puducherry-605 007.
- 3.M/s.Hindustan Unilever Limited,  
Personal Products Factory,  
rep.by its Factory Manager,  
NH-45A Vadamangalam,  
Pondicherry-605.

... Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the third respondent to pay the revised wage and other allowances to the petitioners on par with other workers who are paid under the 18 (1) settlement, dated 29.12.2013, as agreed before the second respondent, in the conciliation meeting held before the second respondent on 07.02.2014,

and pay arrears of revised wage to the petitioners with effect from 01.12.2013 within stipulated time, and consequently direct the first and second respondents to take appropriate legal action against the third respondent for discrimination in payment of wages to the petitioners, under the Equal Remuneration Act,1976.

For petitioners : Mr.P.R.Thiruneelakandan  
For respondents 1 & 2 : Mr.R.Rajeswaran,  
Spl.Govt.Pleader.  
For respondent 3 : Mr.Sanjay Mohan,  
for M/s.Ramasubramaniam  
& Associates.

O R D E R

Petitioners seek for a direction to the third respondent to pay the revised wages and other allowances to them, based on the Settlement under Section 18 (1) of the Industrial Disputes Act,1947, dated 29.12.2013, entered into between the workers and the management.

2. Admittedly, the relief sought for is against a private management, and on the ground the petitioners raised, the writ petition cannot be maintained. Therefore, the prayer sought for in this writ petition cannot be granted.

3. It is submitted by the learned counsel for the respondent-management, that during the pendency of the Writ Petition, seven out of fifteen writ petitioners signed the settlement, after they are fully satisfied. However, the apprehension of the learned counsel for the petitioners is, that the terms and conditions of the settlement are not known to the petitioners. If that be so, it is always open for them to approach the management, for having knowledge of the said terms and conditions of the settlement; and if they are not satisfied with the same, they can invoke appropriate remedy available to them under the provisions of the Industrial Disputes Act.

4. With the above observations, this Writ Petition is dismissed. No costs. Consequently, the connected M.P.No.1 of 2014 is closed.

Dixit

Sd/-  
Assistant Registrar (CS-III)

/True Copy/

To

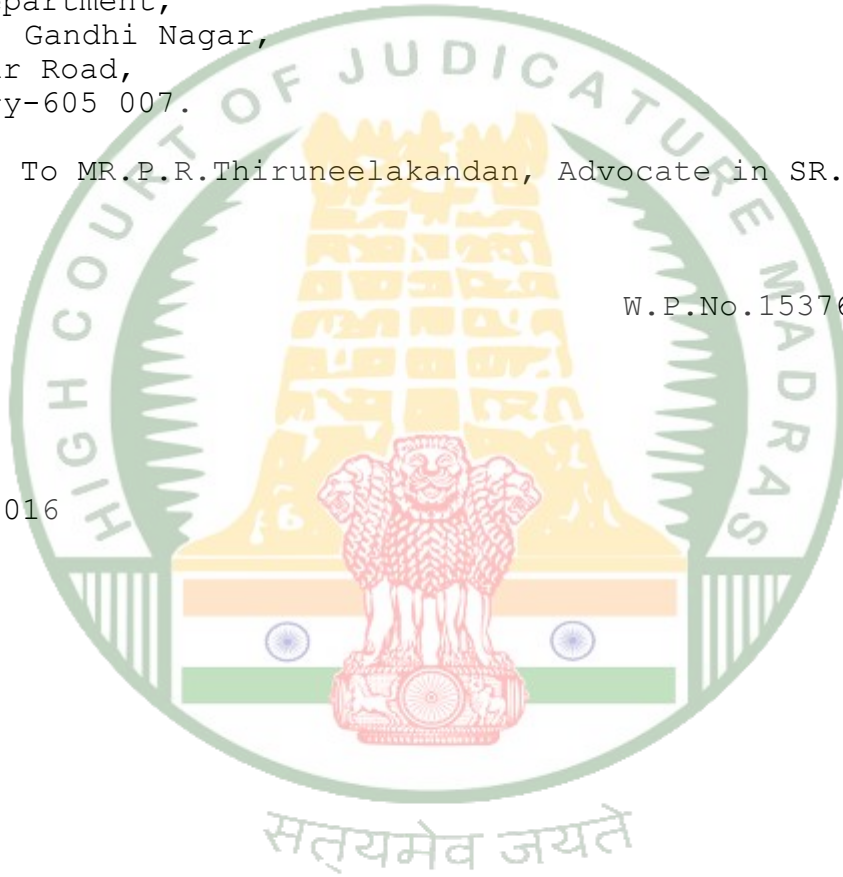
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+1 C.C. To MR.P.R.Thiruneelakandan, Advocate in SR.NO.6445

W.P.No.15376 OF 2014

SK(CO)

sd : 15/02/2016



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